

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ROBERT SIOLESKI,

Plaintiff,

v.

9:04-cv-0282

D. WINCHIP, Corrections Officer;
and C.O. BROWN,

Defendants.

Thomas J. McAvoy,
Senior United States District Judge

DECISION & ORDER

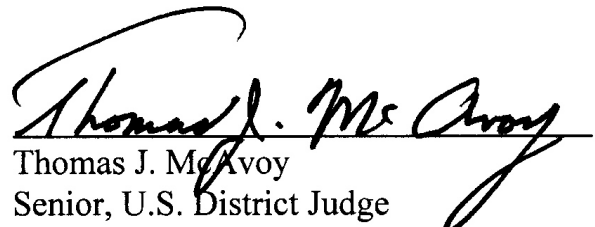
This *pro se* action claiming violations of Plaintiff's Eighth Amendment rights was referred to the Hon. David R. Homer United States Magistrate Judge, for a Report-Recommendation pursuant to 28 U.S.C. § 636(b) and Local Rule 72.4. The Report-Recommendation dated January 30, 2006 recommends that Defendants' motion for summary judgment be granted. No objections have been filed.

After examining the record, this Court has determined that the Report-Recommendation and Order is not subject to attack for plain error or manifest injustice. Accordingly, this Court adopts the Report-Recommendation and Order for the reasons stated therein. It is therefore

ORDERED that Defendants' Motion for Summary Judgment is **GRANTED** and the Complaint **DISMISSED IN ITS ENTIRETY**.

IT IS SO ORDERED.

Dated: April 22, 2006


Thomas J. McAvoy
Senior, U.S. District Judge

